

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PRUDENTIAL EQUITY GROUP, LLC, : No. 07-CV-5606 (JSR)

:
Plaintiff, : **AFFIRMATION IN**
 : **OPPOSITION**

-against- :

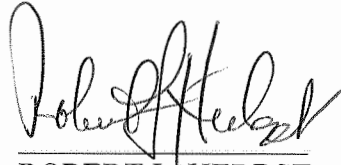
THOMAS R. AJAMIE, AJAMIE LLP, ROBERT WEISS, :
ROBERT H. WEISS & ASSOCIATES, LLP, JOHN MOSCOW, :
BRIAN ROSNER, ROSNER NAPIERALA LLP, DAVID :
ROBBINS, KAUFMANN FEINDER YAMIN GILDIN & :
ROBBINS, LLP, WALLACE SHOWMAN, BERNSTEIN :
LITOWITZ BERGER & GROSSMANN LLP, ROBERT KRAUS, :
KRAUS & ZUCHELEWSKI LLP, MARTIN KROLL, KROLL, :
MOSS & KROLL LLP, JOHN DOES 1-25, AND ABC :
CORPORATION 1-25, :

Defendants. :

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ROBERT L. HERBST, an attorney admitted to practice before this Court, affirms as
follows under the penalties of perjury:

1. I am a member of the firm of Beldock Levine & Hoffman LLP ("BLH"), attorneys for John Moscow in this action. I respectfully submit this affirmation in opposition to the motion made by plaintiff Prudential Equity Group, LLC, seeking an award of attorneys' fees.
2. We respectfully adopt the arguments made by Thomas Ajamie and Ajamie LLP in their Memorandum of Law In Opposition To Prudential's Motion For Attorneys' Fees, as well as the arguments in opposition of any other defendant which also apply to Mr. Moscow.

Dated: New York, New York
July 18, 2007

A handwritten signature in black ink, appearing to read "Robert L. Herbst", written over a horizontal line.

ROBERT L. HERBST
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Attorneys for Defendant John Moscow